

SLOVENSKI STANDARD
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Merila vzdržnosti za proizvodnjo biogoriv in biotekočin za uporabo v energetiki - Načela, merila, kazalniki in preverjalniki - 3. del: Biotska raznovrstnost in okoljski vidiki glede zaščite narave

Sustainability criteria for the production of biofuels and bioliquids for energy applications - Principles, criteria, indicators and verifiers - Part 3: Biodiversity and environmental aspects related to nature protection purposes

Nachhaltigkeitskriterien für die Herstellung von Biokraftstoffen und flüssigen Biobrennstoffen für Energieanwendungen - Grundsätze, Kriterien, Indikatoren und Prüfer - Teil 3: Biodiversität und Umweltaspekte im Zusammenhang mit Naturschutzzwecken

Critères de durabilité pour la production de biocarburants et de bioliquides pour des applications énergétiques - Principes, critères, indicateurs et vérificateurs - Partie 3: Biodiversité et aspects environnementaux liés aux objectifs de protection de la nature

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EUROPEAN STANDARD

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**Sustainability criteria for the production of biofuels and
bioliquids for energy applications - Principles, criteria,
indicators and verifiers - Part 3: Biodiversity and
environmental aspects related to nature protection
purposes**

Critères de durabilité pour la production de
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Nachhaltigkeitskriterien für die Herstellung von
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Energieanwendungen - Grundsätze, Kriterien,
Indikatoren und Prüfer - Teil 3: Biodiversität und
Umweltaspekte im Zusammenhang mit
Naturschutzzwecken

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This European Standard was approved by CEN on 20 July 2012 and includes Amendment 1 approved by CEN on 12 April 2017.

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European foreword

This document (EN 16214-3:2012+A1:2017) has been prepared by Technical Committee CEN/TC 383 “Sustainably produced biomass for energy applications”, the secretariat of which is held by NEN.

This European Standard shall be given the status of a national standard, either by publication of an identical text or by endorsement, at the latest by January 2018, and conflicting national standards shall be withdrawn at the latest by January 2018.

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. CEN shall not be held responsible for identifying any or all such patent rights.

This document includes Amendment 1 approved by CEN on 12 April 2017.

The start and finish of text introduced or altered by amendment is indicated in the text by tags $\boxed{A_1}$ $\boxed{A_1}$.

This document supersedes EN 16214-3:2012.

This European Standard comprises the following parts:

- EN 16214-1, *Sustainability criteria for the production of biofuels and bioliquids for energy applications — Principles, criteria, indicators and verifiers — Part 1: Terminology*;
- $\boxed{A_1}$ CEN/TS 16214-2, *Sustainability criteria for the production of biofuels and bioliquids for energy applications — Principles, criteria, indicators and verifiers — Part 2: Conformity assessment including chain of custody and mass balance*; $\boxed{A_1}$
- EN 16214-3, *Sustainability criteria for the production of biofuels and bioliquids for energy applications — Principles, criteria, indicators and verifiers — Part 3: Biodiversity and environmental aspects related to nature protection purposes*;
- $\boxed{A_1}$ EN 16214-4, *Sustainability criteria for the production of biofuels and bioliquids for energy applications — Principles, criteria, indicators and verifiers — Part 4: Calculation methods of the greenhouse gas emission balance using a life cycle analysis approach* $\boxed{A_1}$

According to the CEN/CENELEC Internal Regulations, the national standards organisations of the following countries are bound to implement this European Standard: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

Introduction

Directive 2009/28/EC of the European Commission on the promotion of the use of energy from renewable sources, referred to as the Renewable Energy Directive (RED, [1]), incorporates an advanced binding sustainability scheme for biofuels and bioliquids for the European market. The RED contains binding sustainability criteria for greenhouse gas savings, land with high biodiversity value, land with high carbon stock and agro-environmental practices. Several articles in the RED present requirements to European Member States and to economic operators in Europe. Non-EU countries may have different requirements and criteria on, for instance, the GHG emission reduction set-off.

The sustainability criteria for biofuels are also mandated in Directive 98/70/EC relating to the quality of petrol and diesel fuels [A1] [7] [A1], via the amending Directive 2009/30/EC (as regards the specification of petrol, diesel and gas-oil and introducing a mechanism to monitor and reduce greenhouse gas emissions, [A1] [8] [A1]). Directive 98/70/EC is referred to as the Fuels Quality Directive (FQD).

In May 2009, the European Commission requested CEN to initiate work on standard(s) on:

- the implementation of the mass balance method of custody chain management;
- the provisions of evidence that the production of raw material has not interfered with nature protection purpose;
- the auditing by member states and by voluntary schemes of the information submitted by economic operators.

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Both the EC and CEN agreed that these may play a role in the implementation of the EU biofuel and bioliquid sustainability scheme. In the Communication from the Commission on the practical implementation of the EU biofuels and bioliquids sustainability scheme and on counting rules for biofuels (2010/C 160/02, [A1] [3] [A1]), awareness of the CEN work is indicated.

It is widely accepted that sustainability at large encompasses environmental, social and economic aspects. The European Directives make mandatory the compliance of several sustainability criteria for biofuels and bioliquids. This European Standard has been developed with the aim to assist EU Member States and economic operators with the implementation of EU biofuel and bioliquids sustainability requirements mandated by the European Directives. This European Standard is limited to certain aspects relevant for a sustainability assessment of biomass produced for energy applications. Therefore compliance with this standard or parts thereof alone does not substantiate claims of the biomass being produced sustainably.

The European Commission has identified land use types from which raw material will not meet their criteria of sustainability. However, in three of these land use types exceptions are possible. Raw material will be considered to meet the requirements if evidence is provided that its production does not interfere with the continuity of that land use type or the integrity of the ecosystem. These land use types are areas designated for nature protection purposes, [A1] non-natural highly biodiverse grasslands [A1] and peatland. This part of this European Standard defines procedures, criteria and indicators to provide the required evidence.

Where applicable, the parts of this standard contain at the end an annex that informs the user of the link between the requirements in the European Directive and the requirements in the CEN Standard.

[A1] A complementary regulation was published in 2014 on defining the criteria and geographic ranges of highly biodiverse grassland [2], after which this European Standard was amended. [A1]

1 Scope

This European Standard only defines procedures, criteria and indicators to provide the required evidence for:

- production of raw material in areas for nature protection purposes;
- harvesting of raw material from **A1** non-natural highly biodiverse grasslands **A1**; and
- cultivation and harvesting on peatland.

This European Standard specifies requirements relevant for the provision of evidence by economic operators that the production, cultivation and harvesting of raw materials is in accordance with legal or other requirements concerning the areas mentioned above.

This European Standard is applicable to production, cultivation and harvesting of biomass for biofuels and bioliquids production.

NOTE At several occasions in the text the plural form "purposes" is used, but in practice there can be just one nature protection or harvesting of raw material purpose.

2 Normative references

The following documents, in whole or in part, are normatively referenced in this document and are indispensable for its application. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

EN 16214-1:2012, *Sustainability criteria for the production of biofuels and bioliquids for energy applications - Principles, criteria, indicators and verifiers Part 1: Terminology*

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3 Terms and definitions

A1 For the purposes of this document, the terms and definitions given in EN 16214-1:2012 and the following apply.

3.1

grassland

terrestrial ecosystems dominated by herbaceous or shrub vegetation for at least 5 years continuously

Note 1 to entry: It includes meadows or pasture that is cropped for hay but excludes land cultivated for other crop production and cropland lying temporarily fallow.

Note 2 to entry: It further excludes continuously forested areas as defined in Article 17(4)(b) of Directive 2009/28/EC unless these are agroforestry systems which include land-use systems where trees are managed together with crops or animal production systems in agricultural settings.

Note 3 to entry: The dominance of herbaceous or shrub vegetation means that their combined ground cover is larger than the canopy cover of trees.

[SOURCE: COMMISSION REGULATION (EU) No 1307/2014 [2], Art 1, (1), modified to fit the structure of a definition in a European Standard]

EN 16214-3:2012+A1:2017 (E)**3.2****human intervention**

managed grazing, mowing, cutting, harvesting or burning

[SOURCE: COMMISSION REGULATION (EU) No 1307/2014 [2], Art 1, (2)]

3.3**natural highly biodiverse grassland**

natural grassland that would remain grassland in the absence of human intervention and which maintains the natural species composition and ecological characteristics and processes

[SOURCE: COMMISSION REGULATION (EU) No 1307/2014 [2], Art 1, (3), modified to fit the structure of a definition in a European Standard]

3.4**non-natural highly biodiverse grassland**

grassland that would cease to be grassland in the absence of human intervention and which is species-rich and not degraded

Note 1 to entry: Not degraded means that it is not characterised by long-term loss of biodiversity due to for instance overgrazing, mechanical damage to the vegetation, soil erosion or loss of soil quality.

[SOURCE: COMMISSION REGULATION (EU) No 1307/2014 [2], Art 1, (4), modified to fit the structure of a definition in a European Standard] ^(A1)

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4 Principle

This European standard contains procedures with underlying questionnaires and indicative data forms to provide the required evidence for the exceptional authorisation of biomass production in the three types of areas cited in the scope. As a first step a location check is carried out (Clause 5). In case this is positive the respective procedures as laid down in Clauses 6, 7 and/or 8 are followed. These procedures include functional checks and impact checks.

These checks are based on criteria, indicators and verifiers. All criteria of the relevant clause are to be met. If a criterion is not applicable/necessary, e.g. due to the specific protection purposes, justification/evidence is to be provided.

The listed indicators should be used, where possible.

If an indicator cannot be used, evidence/justification is necessary. Which indicators and verifiers are used is to be checked in at the respective location. If an additional indicator is used, this needs to be justified in the context of the Renewable Energy Directive (RED, [1]), e.g. due to specific protection purposes.

Each respective procedure is illustrated by a flowchart. The flowcharts present the steps to be taken to provide evidence that the raw material is taken from a source in compliance with the requirements of the RED.

5 Location check**5.1 General**

Identify whether the area in question falls under one or more of the following in or after January 2008:

- a) areas for nature protection purposes; if yes, follow procedures laid down in Clause 6;

- b) **A1** non-natural highly biodiverse grasslands **A1**; if yes, follow procedures laid down in Clause 7;
- c) peatlands; if yes, follow procedures laid down in Clause 8.

NOTE 1 For compliance with Directive 2009/28/EC [1] three other types of land are excluded from raw material production for biofuels and other bioliquids: primary forest, **A1** natural highly biodiverse grasslands **A1** and land with high carbon stock. These three types of land are not further dealt within this document. In case the production unit, cultivation and/or harvesting area lies within one of these areas one should follow Directive 2009/28/EC.

An example of the whole check is visualised in Figure 1.

If the area in question does not belong to any of the six types of areas mentioned above this part of the European Standard is not applicable for the production unit, cultivation and/or harvesting area.

The output of the location check is evidence shown in a reliable document (e.g. maps, Geographic Information Systems -GIS- data, landscape assessment, on-site consultation, third party issued certificate, authority declaration, self-declaration) that the area is inside or outside of the areas as defined above.

NOTE 2 These areas are also defined in Art. 17 of the Directive 2009/28/EC [1].

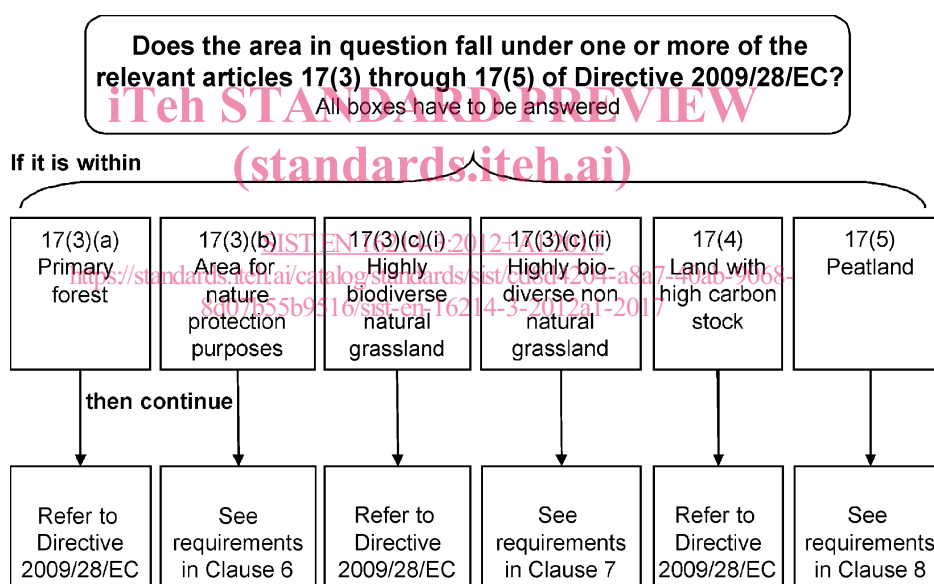



Figure 1 — Possible location check

5.2 Guidance for the identification of relevant areas

5.2.1 Areas for nature protection purposes

Check whether international, national or regional maps or data of areas designated by law or by the relevant competent authority for nature protection are available for the area in question. Use best available source.

Check whether production unit lies within a designated area for rare, threatened or endangered ecosystems or species as recognized by the European Commission (see Directive 2009/28/EC, Article 17, 3.b).

EN 16214-3:2012+A1:2017 (E)**5.2.2  Non-natural highly biodiverse grasslands ****5.2.2.1  General**

Check whether for the harvesting area the criteria for non-natural highly biodiverse grassland apply. The identification of areas of non-natural highly biodiverse grassland has to follow the following three steps:

- a) identification whether a harvesting area has been grassland in or after 2008 (see 5.2.2.2) ;
- b) identification whether a harvesting area has been natural or non-natural grassland in or after 2008 (see 5.2.2.3) ;
- c) identification whether a harvesting area has been non-natural highly biodiverse grassland in or after 2008 (see 5.2.2.4).

In order to determine if you are on a grassland, 5.2.2.2 shall be followed.

5.2.2.2 Determination of grassland status

In order to determine if the production and harvesting is on a grassland, Figure 2 shall be followed.

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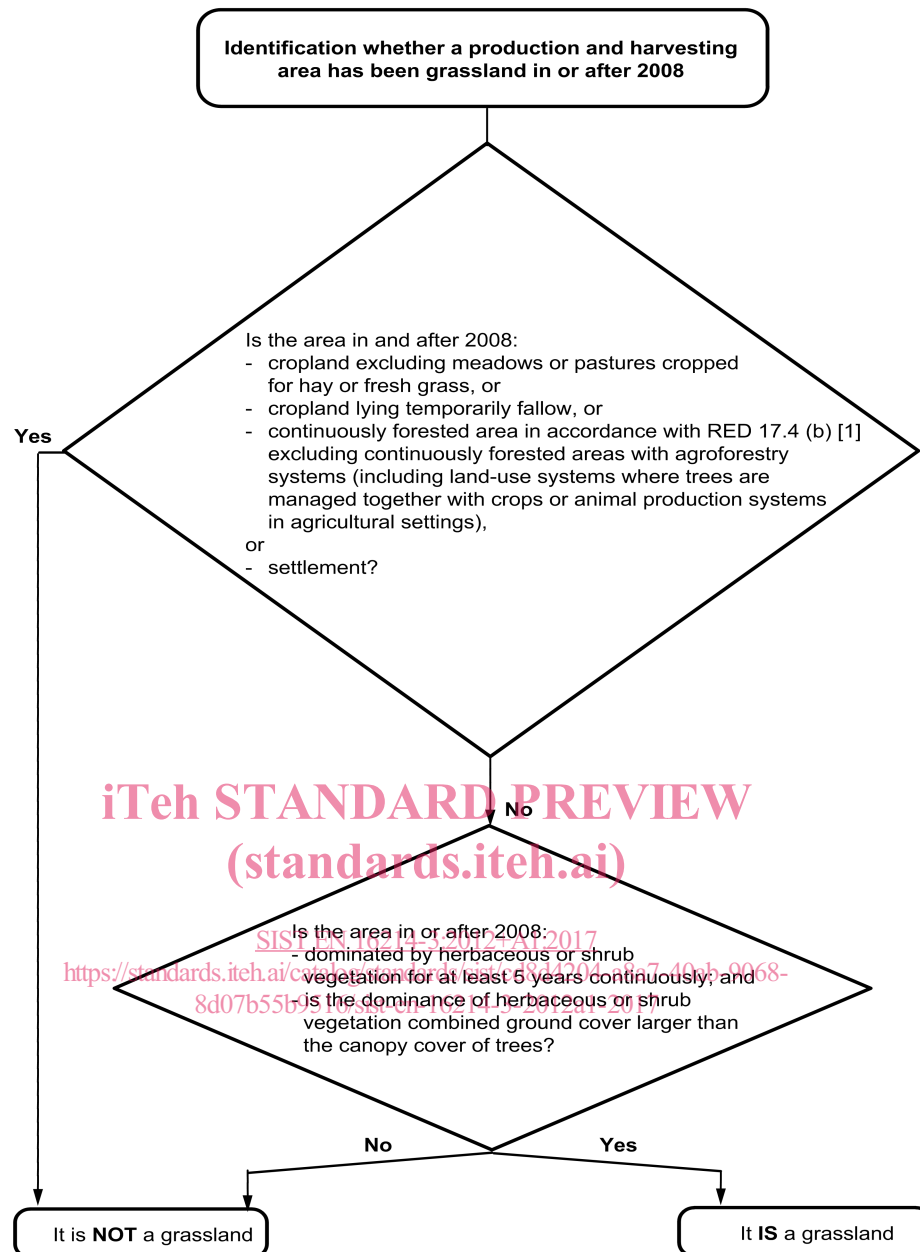


Figure 2 — Identification whether an area has been grassland in or after 2008

5.2.2.3 Determination of natural / non-natural grassland status

If the production and harvesting area is a grassland according to Figure 2, Figure 3 shall be used to determine whether the grassland is considered to be natural or non-natural.

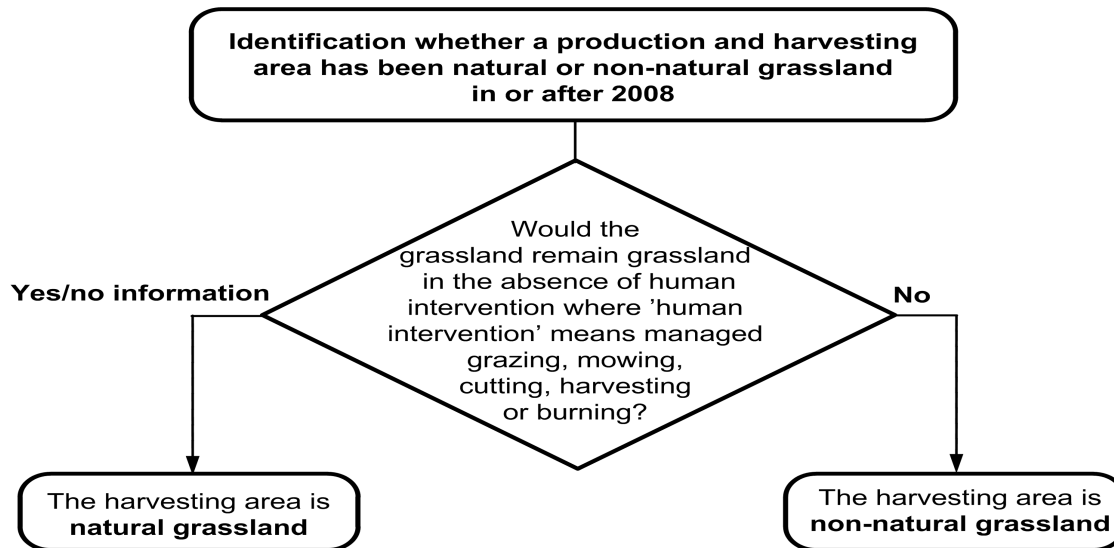


Figure 3 — Identification whether an area has been natural or non-natural grassland in or after 2008

If you are on a natural grassland in accordance with the decision tree in Figure 3, this is a no go area in accordance with article 17.3 of RED [1] and shall not be used for production.

If you are on a non-natural grassland in accordance with the decision tree in Figure 3, the text below in 5.2.2.4 shall be used to determine whether you are on a non-natural highly biodiverse grassland.

5.2.2.4 Determination of non-natural highly biodiverse grassland status

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5.2.2.4.1 Highly biodiverse grasslands differ among climatic zones and may include, inter alia, heaths, pastures, meadows, savannahs, steppes, scrublands, tundra and prairies. These areas develop distinct characteristics for instance with regard to the degree of tree cover and the intensity of grazing and mowing.

5.2.2.4.2 For non-natural grassland, the economic operator shall determine whether the area is considered to be non-natural highly biodiverse grassland in or after 2008. Non-natural highly biodiverse grassland is characterised by their species-richness, which means that the area was:

- 1) a habitat of significant importance to critically endangered, endangered or vulnerable species as classified by the International Union for the Conservation of Nature Red List of Threatened Species or other lists with a similar purpose for species or habitats laid down in national legislation or recognised by a competent national authority in the country of origin of the raw material; or
- 2) a habitat of significant importance to intra-species genetic diversity; or
- 3) a habitat of significant importance to globally significant concentrations of migratory species or congregatory species; or
- 4) a regionally or nationally significant or highly threatened or unique ecosystem.